



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65438

MATSUNAGA, TOSHIAKI, et al.

Appln. No.: 09/922,839

Group Art Unit: 1772

Confirmation No.: 8612

Examiner: Sandra M. Nolan

Filed: August 07, 2001

For: COATING FOR WATER BLOCKING AGENTS

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, NIPPON SHOKUBAI CO., LTD., represents that the petitioner, NIPPON SHOKUBAI CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/925,505, filed on August 10, 2001 for FRICTION REDUCING COATING FOR ENGINEERING WORK, AND SHEET PILE, STEEL TUBULAR PIPE AND CONSTRUCTION METHOD by virtue of an Assignment from all of the inventors thereof executed on September 5, 2001, recorded on September 17, 2001 at Reel 012165, Frame 0778, now issued as U.S. Patent 6,593,280 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/922,839 by virtue of an Assignment from all of the inventors thereof executed on September 5, 2001, recorded on September 18, 2001, at Reel 012176, Frame 0784.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 09/922,839

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/922,839 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,593,280, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/922,839 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,593,280 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/922,839, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/922,839 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/922,839 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,593,280 in the event that U.S. Patent 6,593,280 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 09/922,839

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: _____

Name

Title: _____